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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hidekazu KOJIMA et al.

Group Art Unit: 2613

Application No.: 09/423,461

Examiner: S. An

Filed: November 30, 1999

Docket No.: 104651

For: OPTICAL FIBER OBSERVING IMAGE PROCESSING APPARATUS

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

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Sir:

Technology Center 2600

In reply to the October 31, 2002 Election of Species Requirement, Applicants provisionally elect the Species shown in Figure 1 and directed to claims 1-6, with traverse. Further, Applicants assert that claims 1-6 read on the elected species.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: December 30, 2002

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